

Application No. 09/759,557
Amendment dated November 30, 2005
Reply to Office Action of August 2, 2005

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Docket No.: 08211/0201750-US0 (P04625)

REMARKS

Prior to entry of this paper, claims 121-140 were pending. Claims 133, 134, 136, and 137 were rejected. Claims 121-132 and 138-140 were allowed. Claim 135 was identified as being allowable if rewritten in independent form.

In this paper, Claims 121 and 133-138 are amended. No new matter is added by way of this amendment. Claims 121 and 138 were amended to delete the phrase "for horizontal blanking lines", which was misleading and/or inaccurate since horizontal blanking intervals do not take up an entire line. Claims 135-137 were amended to be re-written in independent form.

Claims 121-140 are currently pending. For at least the following reasons, Applicants respectfully submit that each of the presently pending claims is in condition for allowance.

Allowable Subject Matter (Claims 121-132, 135, and 138-140)

Claims 121-132 and 138-140 were allowed. Applicants thank the Examiner for his work in this matter. Claim 135 was identified as being allowable if rewritten in independent form. In this paper, Claim 135 was amended to be re-written in independent form. For at least this reason, it is respectfully submitted that Claim 135 is in condition for allowance.

Claims 133, 134, 136, and 137

Claims 133, 134, 136, and 137 were rejected under 35 U.S.C. §102(e) as being anticipated by *Harshbarger et al.* (U.S. Patent No. 4,670,782, hereinafter *Harshbarger*).

The rejection to Claims 133 is respectfully rendered moot in light of the amendment to Claim 133. It is respectfully submitted that Claim 133 is allowable at least because *Harshbarger* does not disclose, "a pattern generation state machine that is operable to control a sequencing of a creation of a digital video test pattern", as recited in Applicants' Claim 133 as amended. *Harshbarger* describes a system that generates analog video patterns.

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Claims 134 is respectfully submitted to be allowable at least because it depends on Claim 133.

The rejection to Claims 136 and 137 are respectfully traversed.

Claim 136 is respectfully submitted to be allowable at least because Harshbarger does not disclose, "each of the unique data words is a unique ten-bit data word", as recited in Applicants' Claim 136. "A claim is anticipated only if each and every element as set forth in a claim is found, either expressly or inherently described, in a single prior art reference." (MPEP 2131, quoting *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 633 (Fed. Cir. 1987)). A feature is only inherently disclosed if it is necessarily present in the thing described in the reference. (See MPEP 2131.01). Because Harshbarger does not disclose a ten-bit data word in conjunction with the other claim elements, Harshbarger does not anticipate Applicants' Claim 136.

Claim 137 is respectfully submitted to be allowable at least because Harshbarger does not disclose, "each of the plurality of data samples is a forty-bit data sample", as recited in Applicants' Claim 137. Because Harshbarger does not disclose forty-bit data samples in conjunction with the other claim elements, Harshbarger does not anticipate Applicants' Claim 137.

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CONCLUSION

It is respectfully submitted that each of the presently pending claims (Claims 121-140) are in condition for allowance and notification to that effect is requested. Examiner is invited to contact the Applicants' representative at the below-listed telephone number if it is believed that the prosecution of this application may be assisted thereby. Although only certain arguments regarding patentability are set forth herein, there may be other arguments and reasons why the claimed invention is patentable. Applicant reserves the right to raise these arguments in the future.

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Respectfully submitted,

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